

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

COOK COUNTY, ILLINOIS;
THOMAS DART, COOK COUNTY
SHERIFF (in his official capacity);
TONI PRECKWINKLE, COOK COUNTY
BOARD PRESIDENT (in her official capacity);
COOK COUNTY BOARD OF
COMMISSIONERS (in their official capacity),

Defendants.

No. 10 C 2946

Judge Virginia Kendall

**MOTION FOR THE APPROVAL OF APPOINTMENT OF RETIRED JUDGES
TO IMPLEMENT THE PRISONER RELEASE ORDER**

NOW COMES the Sheriff of Cook County, by and through his attorneys, Daniel F. Gallagher and Querrey & Harrow, Ltd., and respectfully moves the Court to approve the appointment of retired Justice Margaret Frossard and retired Judge John Wasilewski to implement the release of pretrial detainees on electronic monitoring pursuant to the Prisoner Release Order previously entered herein, and in support thereof, states as follows:

1. That the Sheriff of Cook County, Thomas Dart, has interviewed retired judges for the purpose of retaining two judges pursuant to the Prisoner Release Order ("PRO") previously entered by this Court to administer the order in accordance with the PRO's provisions.

2. As a result of the interview process, the Sheriff has determined that two retired former judges are especially qualified to administer the assignment of pretrial detainees to electronic monitoring/home confinement within the strictures set forth in this Court's Prisoner Release Order.

3. Margaret O'Mara Frossard is a retired Justice of the Illinois Appellate Court, First District. Justice Frossard served 13 years on the Illinois Appellate Court and nine years as a Circuit Court Judge in Cook County where she served, for the most part, in the Criminal Division of the Circuit Court. Prior to being elected to the bench in 1988, Justice Frossard served as an Assistant State's Attorney from 1976 to 1988. Justice Frossard has tried hundreds of criminal cases as both a State's Attorney and as a Circuit Court Judge. She has also authored hundreds of civil and criminal orders and opinions during her tenure on the Illinois Appellate Court. Justice Frossard was recently appointed the Director of Professionalism at The John Marshall School of Law. She is familiar with the Illinois Bail Bond Statute, the Illinois Rules of Criminal Procedure, and has familiarized herself with the PRO entered by this Court.

4. John A. Wasilewski served as an Associate Judge in the Circuit Court of Cook County from 1988 until 2009, and as a Circuit Judge until his retirement in 2010. During his entire judicial career, Judge Wasilewski was assigned to the Criminal Division in the Fifth and Sixth Municipal Districts of the Circuit Court of Cook County. He served as the Supervising Associate Judge in the Sixth Municipal District from 1988 until 1992. Judge Wasilewski served as the supervising judge of the felony trial courts

in the Sixth Municipal District from 1993 until 1996. Before being appointed to the bench, Judge Wasilewski served as an Assistant State's Attorney and as a Deputy Supervisor in the State's Attorney First Municipal District Office. Judge Wasilewski has the depth and breadth of experience in criminal matters to qualify him to perform the job of administering the PRO entered by this Court. He is familiar with the Illinois Bail Bond Statute, the Illinois Rules of Criminal Procedures, and has familiarized himself with the PRO entered by this Court.

WHEREFORE, Sheriff Thomas J. Dart moves that the Court approve the retention of retired Justice Margaret Frossard and retired Judge John Wasilewski to administer the assignment of eligible pretrial detainees to the Sheriff's Electronic Monitoring Program in accordance with the provisions of the previously entered Prisoner Release Order.

Respectfully submitted,

Thomas J. Dart,
Sheriff of Cook County

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